



# भारत का राजपत्र

## The Gazette of India

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

### LOK SABHA

The following Bill was introduced in Lok Sabha on 7th August, 2013:—

BILL NO. 109 OF 2013

*A Bill to provide for food and nutritional security in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices to people to live a life with dignity and for matters connected therewith or incidental thereto.*

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

#### CHAPTER I

#### PRELIMINARY

1. (1) This Act may be called the National Food Security Act, 2013.  
(2) It extends to the whole of India.  
(3) Save as otherwise provided, it shall be deemed to have come into force on the 5th day of July, 2013.

Short title,  
extent and  
commencement.

2. In this Act, unless the context otherwise requires,—

(1) "anganwadi" means a child care and development centre set up under the Integrated Child Development Services Scheme of the Central Government to render services covered under section 4, clause (a) of sub-section (1) of section 5 and section 6;

Definitions.

(2) "central pool" means the stock of foodgrains which is,—

(i) procured by the Central Government and the State Governments through minimum support price operations;

(ii) maintained for allocations under the Targeted Public Distribution System, other welfare schemes, including calamity relief and such other schemes;

(iii) kept as reserves for schemes referred to in sub-clause (ii);

(3) "eligible households" means households covered under the priority households and the Antyodaya Anna Yojana referred to in sub-section (1) of section 3;

(4) "fair price shop" means a shop which has been licensed to distribute essential commodities by an order issued under section 3 of the Essential Commodities Act, 1955, to the ration card holders under the Targeted Public Distribution System;

(5) "foodgrains" means rice, wheat or coarse grains or any combination thereof conforming to such quality norms as may be determined, by order, by the Central Government from time to time;

(6) "food security" means the supply of the entitled quantity of foodgrains and meal specified under Chapter II;

(7) "food security allowance" means the amount of money to be paid by the concerned State Government to the entitled persons under section 8;

(8) "local authority" includes Panchayat, municipality, district board, cantonment board, town planning authority and in the States of Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura where Panchayats do not exist, the village council or committee or any other body, by whatever name called, which is authorised under the Constitution or any law for the time being in force for self-governance or any other authority or body vested with the control and management of civic services, within a specified local area;

(9) "meal" means hot cooked meal or ready to eat meal or take home ration, as may be prescribed by the Central Government;

(10) "minimum support price" means the assured price announced by the Central Government at which foodgrains are procured from farmers by the Central Government and the State Governments and their agencies, for the central pool;

(11) "notification" means a notification issued under this Act and published in the Official Gazette;

(12) "other welfare schemes" means such Government schemes, in addition to the Targeted Public Distribution System, under which foodgrains or meals are supplied as part of the schemes;

(13) "person with disability" means a person defined as such in clause (1) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995;

(14) "priority households" means households identified as such under section 10;

(15) "prescribed" means prescribed by rules made under this Act;

(16) "ration card" means a document issued under an order or authority of the State Government for the purchase of essential commodities from the fair price shops under the Targeted Public Distribution System;

(17) "rural area" means any area in a State except those areas covered by any urban local body or a cantonment board established or constituted under any law for the time being in force;

10 of 1955.

1 of 1996.

56 of 2007.

(18) "Schedule" means a Schedule appended to this Act;

(19) "senior citizen" means a person defined as such under clause (h) of section 2 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007;

(20) "social audit" means the process in which people collectively monitor and evaluate the planning and implementation of a programme or scheme;

(21) "State Commission" means the State Food Commission constituted under section 16;

(22) "State Government", in relation to a Union territory, means the Administrator thereof appointed under article 239 of the Constitution;

(23) "Targeted Public Distribution System" means the system for distribution of essential commodities to the ration card holders through fair price shops;

(24) "Vigilance Committee" means a committee constituted under section 29 to supervise the implementation of all schemes under this Act;

(25) the words and expressions not defined here but defined in the Essential Commodities Act, 1955, or any other relevant Act shall have the meaning respectively assigned to them in those Acts.

10 of 1955.

## CHAPTER II

### PROVISIONS FOR FOOD SECURITY

3. (1) Every person belonging to priority households, identified under sub-section (1) of section 10, shall be entitled to receive five kilograms of foodgrains per person per month at subsidised prices specified in Schedule I from the State Government under the Targeted Public Distribution System:

Provided that the households covered under Antyodaya Anna Yojana shall, to such extent as may be specified by the Central Government for each State in the said scheme, be entitled to thirty-five kilograms of foodgrains per household per month at the prices specified in Schedule I.

*Explanation.*—For the purpose of this section, the "Antyodaya Anna Yojana" means, the scheme by the said name launched by the Central Government on the 25th day of December, 2000; and as modified from time to time.

(2) The entitlements of the persons belonging to the eligible households referred to in sub-section (1) at subsidised prices shall extend up to seventy-five per cent. of the rural population and up to fifty per cent. of the urban population.

(3) Subject to sub-section (1), the State Government may provide to the persons belonging to eligible households, wheat flour in lieu of the entitled quantity of foodgrains in accordance with such guidelines as may be specified by the Central Government.

4. Subject to such schemes as may be framed by the Central Government, every pregnant woman and lactating mother shall be entitled to—

(a) meal, free of charge, during pregnancy and six months after the child birth, through the local *anganwadi*, so as to meet the nutritional standards specified in Schedule II; and

(b) maternity benefit of not less than rupees six thousand, in such instalments as may be prescribed by the Central Government:

Provided that all pregnant women and lactating mothers in regular employment with the Central Government or State Governments or Public Sector Undertakings or those who are in receipt of similar benefits under any law for the time being in force shall not be entitled to benefits specified in clause (b).

Right to receive foodgrains at subsidised prices by persons belonging to eligible households under Targeted Public Distribution System.

Nutritional support to pregnant women and lactating mothers.

Nutritional support to children.

**5. (1)** Subject to the provisions contained in clause (b), every child up to the age of fourteen years shall have the following entitlements for his nutritional needs, namely:—

(a) in the case of children in the age group of six months to six years, age appropriate meal, free of charge, through the local *anganwadi* so as to meet the nutritional standards specified in Schedule II:

Provided that for children below the age of six months, exclusive breast feeding shall be promoted;

(b) in the case of children, up to class VIII or within the age group of six to fourteen years, whichever is applicable, one mid-day meal, free of charge, everyday, except on school holidays, in all schools run by local bodies, Government and Government aided schools, so as to meet the nutritional standards specified in Schedule II.

**(2)** Every school, referred to in clause (b) of sub-section (1), and *anganwadi* shall have facilities for cooking meals, drinking water and sanitation:

Provided that in urban areas facilities of centralised kitchens for cooking meals may be used, wherever required, as per the guidelines issued by the Central Government.

Prevention and management of child malnutrition.

**6.** The State Government shall, through the local *anganwadi*, identify and provide meals, free of charge, to children who suffer from malnutrition, so as to meet the nutritional standards specified in Schedule II.

Implementation of schemes for realisation of entitlements.

**7.** The State Governments shall implement schemes covering entitlements under sections 4, 5 and section 6 in accordance with the guidelines, including cost sharing, between the Central Government and the State Governments in such manner as may be prescribed by the Central Government.

### CHAPTER III

#### FOOD SECURITY ALLOWANCE

Right to receive food security allowance in certain cases.

**8.** In case of non-supply of the entitled quantities of foodgrains or meals to entitled persons under Chapter II, such persons shall be entitled to receive such food security allowance from the concerned State Government to be paid to each person, within such time and manner as may be prescribed by the Central Government.

Coverage of population under Targeted Public Distribution System.

**9.** The percentage coverage under the Targeted Public Distribution System in rural and urban areas for each State shall, subject to sub-section (2) of section 3, be determined by the Central Government and the total number of persons to be covered in such rural and urban areas of the State shall be calculated on the basis of the population estimates as per the census of which the relevant figures have been published.

State Government to prepare guidelines and to identify priority households.

**10. (1)** The State Government shall, within the number of persons determined under section 9 for the rural and urban areas, identify—

(a) the households to be covered under the Antyodaya Anna Yojana to the extent specified under sub-section (1) of section 3, in accordance with the guidelines applicable to the said scheme;

(b) the remaining households as priority households to be covered under the Targeted Public Distribution System, in accordance with such guidelines as the State Government may specify:

Provided that the State Government may, as soon as possible, but within such period not exceeding one hundred and eighty days, after the commencement of the

Act, identify the eligible households in accordance with the guidelines framed under this sub-section:

Provided further that the State Government shall continue to receive the allocation of foodgrains from the Central Government under the existing Targeted Public Distribution System, till the identification of such households is complete.

(2) The State Government shall update the list of eligible households, within the number of persons determined under section 9 for the rural and urban areas, in accordance with the guidelines framed under sub-section (1).

11. The State Government shall place the list of the identified eligible households in the public domain and display it prominently.

Publication and display of list of eligible households.

## CHAPTER V

### REFORMS IN TARGETED PUBLIC DISTRIBUTION SYSTEM

12. (1) The Central and State Governments shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in this Act.

Reforms in Targeted Public Distribution System.

(2) The reforms shall, *inter alia*, include—

(a) doorstep delivery of foodgrains to the Targeted Public Distribution System outlets;

(b) application of information and communication technology tools including end-to-end computerisation in order to ensure transparent recording of transactions at all levels, and to prevent diversion;

(c) leveraging "aadhaar" for unique identification, with biometric information of entitled beneficiaries for proper targeting of benefits under this Act;

(d) full transparency of records;

(e) preference to public institutions or public bodies such as Panchayats, self-help groups, co-operatives, in licensing of fair price shops and management of fair price shops by women or their collectives;

(f) diversification of commodities distributed under the Public Distribution System over a period of time;

(g) support to local public distribution models and grains banks;

(h) introducing schemes, such as, cash transfer, food coupons, or other schemes, to the targeted beneficiaries in lieu of their foodgrain entitlements specified in Chapter II, in such area and manner as may be prescribed by the Central Government.

## CHAPTER VI

### WOMEN EMPOWERMENT

13. (1) The eldest woman who is not less than eighteen years of age, in every eligible household, shall be head of the household for the purpose of issue of ration cards.

Women of eighteen years of age or above to be head of household for purpose of issue of ration cards.

(2) Where a household at any time does not have a woman or a woman of eighteen years of age or above, but has a female member below the age of eighteen years, then, the eldest male member of the household shall be the head of the household for the purpose of issue of ration card and the female member, on attaining the age of eighteen years, shall become the head of the household for such ration cards in place of such male member.

## CHAPTER VII

### GRIEVANCE REDRESSAL MECHANISM

14. Every State Government shall put in place an internal grievance redressal mechanism which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed.

Internal grievance redressal mechanism.

District  
Grievance  
Redressal  
Officer.

**15. (1)** The State Government shall appoint or designate, for each district, an officer to be the District Grievance Redressal Officer for expeditious and effective redressal of grievances of the aggrieved persons in matters relating to distribution of entitled foodgrains or meals under Chapter II, and to enforce the entitlements under this Act.

(2) The qualifications for appointment as District Grievance Redressal Officer and its powers shall be such as may be prescribed by the State Government.

(3) The method and terms and conditions of appointment of the District Grievance Redressal Officer shall be such as may be prescribed by the State Government.

(4) The State Government shall provide for the salary and allowances of the District Grievance Redressal Officer and other staff and such other expenditure as may be considered necessary for their proper functioning.

(5) The officer referred to in sub-section (1) shall hear complaints regarding non-distribution of entitled foodgrains or meals, and matters relating thereto, and take necessary action for their redressal in such manner and within such time as may be prescribed by the State Government.

(6) Any complainant or the officer or authority against whom any order has been passed by officer referred to in sub-section (1), who is not satisfied with the redressal of grievance may file an appeal against such order before the State Commission.

(7) Every appeal under sub-section (6) shall be filed in such manner and within such time as may be prescribed by the State Government.

State Food  
Commission.

**16. (1)** Every State Government may, by notification, constitute a State Food Commission for the purpose of monitoring and review of implementation of this Act.

(2) The State Commission shall consist of—

(a) a Chairperson;

(b) five other Members; and

(c) a Member-Secretary, who shall be an officer of the State Government not below the rank of Joint Secretary to that Government:

Provided that there shall be at least two women, whether Chairperson, Member or Member-Secretary:

Provided further that there shall be one person belonging to the Scheduled Castes and one person belonging to the Scheduled Tribes, whether Chairperson, Member or Member-Secretary.

(3) The Chairperson and other Members shall be appointed from amongst persons—

(a) who are or have been member of the All India Services or any other civil services of the Union or State or holding a civil post under the Union or State having knowledge and experience in matters relating to food security, policy making and administration in the field of agriculture, civil supplies, nutrition, health or any allied field; or

(b) of eminence in public life with wide knowledge and experience in agriculture, law, human rights, social service, management, nutrition, health, food policy or public administration; or

(c) who have a proven record of work relating to the improvement of the food and nutrition rights of the poor.

(4) The Chairperson and every other Member shall hold office for a term not exceeding five years from the date on which he enters upon his office and shall be eligible for reappointment:

Provided that no person shall hold office as the Chairperson or other Member after he has attained the age of sixty-five years.

(5) The method of appointment and other terms and conditions subject to which the Chairperson, other Members and Member-Secretary of the State Commission may be appointed, and time, place and procedure of meetings of the State Commission (including the quorum at such meetings) and its powers, shall be such as may be prescribed by the State Government.

(6) The State Commission shall undertake the following functions, namely:—

(a) monitor and evaluate the implementation of this Act, in relation to the State;

(b) either *suo motu* or on receipt of complaint inquire into violations of entitlements provided under Chapter II;

(c) give advice to the State Government on effective implementation of this Act;

(d) give advice to the State Government, their agencies, autonomous bodies as well as non-governmental organisations involved in delivery of relevant services, for the effective implementation of food and nutrition related schemes, to enable individuals to fully access their entitlements specified in this Act;

(e) hear appeals against orders of the District Grievance Redressal Officer;

(f) prepare annual reports which shall be laid before the State Legislature by the State Government.

(7) The State Government shall make available to the State Commission, such administrative and technical staff, as it may consider necessary for proper functioning of the State Commission.

(8) The method of appointment of the staff under sub-section (7), their salaries, allowances and conditions of service shall be such, as may be prescribed by the State Government.

(9) The State Government may remove from office the Chairperson or any Member who—

(a) is, or at any time has been, adjudged as an insolvent; or

(b) has become physically or mentally incapable of acting as a member; or

(c) has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or

(e) has so abused his position as to render his continuation in office detrimental to the public interest.

(10) No such Chairperson or Member shall be removed under clause (d) or clause (e) of sub-section (9) unless he has been given a reasonable opportunity of being heard in the matter.

17. The State Government shall provide for salary and allowances of Chairperson, other Members, Member-Secretary, support staff, and other administrative expenses required for proper functioning of the State Commission.

Salary and  
allowances of  
Chairperson,  
Member,  
Member-  
Secretary and  
other staff of  
State  
Commission.

Designation of any Commission or body to function as State Commission.

Joint State Food Commission.

Powers relating to inquiries.

**18.** The State Government may, if considers it necessary, by notification, designate any statutory commission or a body to exercise the powers and perform the functions of the State Commission referred to in section 16.

**19.** Notwithstanding anything contained in sub-section (1) of section 16, two or more States may have a Joint State Food Commission for the purposes of this Act with the approval of the Central Government.

**20.** (1) The State Commission shall, while inquiring into any matter referred to in clauses (b) and (e) of sub-section (6) of section 16, have all the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908, and, in particular, in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office; and
- (e) issuing commissions for the examination of witnesses or documents.

(2) The State Commission shall have the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973.

5 of 1908.

2 of 1974.

Vacancies, etc., not to invalidate proceedings of State Commission.

**21.** No act or proceeding of the State Commission shall be invalid merely by reason of—

- (a) any vacancy in, or any defect in the constitution of, the State Commission; or
- (b) any defect in the appointment of a person as the Chairperson or a Member of the State Commission; or
- (c) any irregularity in the procedure of the State Commission not affecting the merits of the case.

## CHAPTER VIII

### OBLIGATIONS OF CENTRAL GOVERNMENT FOR FOOD SECURITY

Central Government to allocate required quantity of foodgrains from central pool to State Governments.

**22.** (1) The Central Government shall, for ensuring the regular supply of foodgrains to persons belonging to eligible households, allocate from the central pool the required quantity of foodgrains to the State Governments under the Targeted Public Distribution System, as per the entitlements under section 3 and at prices specified in Schedule I.

(2) The Central Government shall allocate foodgrains in accordance with the number of persons belonging to the eligible households identified in each State under section 10.

(3) The Central Government shall provide foodgrains in respect of entitlements under sections 4, 5 and section 6, to the State Governments, at prices specified for the persons belonging to eligible households in Schedule I.

(4) Without prejudice to sub-section (1), the Central Government shall,—

- (a) procure foodgrains for the central pool through its own agencies and the State Governments and their agencies;
- (b) allocate foodgrains to the States;

(c) provide for transportation of foodgrains, as per allocation, to the depots designated by the Central Government in each State;

(d) provide assistance to the State Government in meeting the expenditure incurred by it towards intra-State movement, handling of foodgrains and margins paid to fair price shop dealers, in accordance with such norms and manner as may be prescribed by the Central Government; and

(e) create and maintain required modern and scientific storage facilities at various levels.

23. In case of short supply of foodgrains from the central pool to a State, the Central Government shall provide funds to the extent of short supply to the State Government for meeting obligations under Chapter II in such manner as may be prescribed by the Central Government.

## CHAPTER IX

### OBLIGATIONS OF STATE GOVERNMENT FOR FOOD SECURITY

Provisions  
for funds by  
Central  
Government  
to State  
Government  
in certain  
cases.

Implementation  
and  
monitoring of  
schemes for  
ensuring food  
security.

24. (1) The State Government shall be responsible for implementation and monitoring of the schemes of various Ministries and Departments of the Central Government in accordance with guidelines issued by the Central Government for each scheme, and their own schemes, for ensuring food security to the targeted beneficiaries in their State.

(2) Under the Targeted Public Distribution System, it shall be the duty of the State Government to—

(a) take delivery of foodgrains from the designated depots of the Central Government in the State, at the prices specified in Schedule I, organise intra-State allocations for delivery of the allocated foodgrains through their authorised agencies at the door-step of each fair price shop; and

(b) ensure actual delivery or supply of the foodgrains to the entitled persons at the prices specified in Schedule I.

(3) For foodgrain requirements in respect of entitlements under sections 4, 5 and section 6, it shall be the responsibility of the State Government to take delivery of foodgrains from the designated depots of the Central Government in the State, at the prices specified in Schedule I for persons belonging to eligible households and ensure actual delivery of entitled benefits, as specified in the aforesaid sections.

(4) In case of non-supply of the entitled quantities of foodgrains or meals to entitled persons under Chapter II, the State Government shall be responsible for payment of food security allowance specified in section 8.

(5) For efficient operations of the Targeted Public Distribution System, every State Government shall,—

(a) create and maintain scientific storage facilities at the State, District and Block levels, being sufficient to accommodate foodgrains required under the Targeted Public Distribution System and other food based welfare schemes;

(b) suitably strengthen capacities of their Food and Civil Supplies Corporations and other designated agencies;

(c) establish institutionalised licensing arrangements for fair price shops in accordance with the relevant provisions of the Public Distribution System (Control) Order, 2001 made under the Essential Commodities Act, 1955, as amended from time to time.

## CHAPTER X

### OBLIGATIONS OF LOCAL AUTHORITIES

Implementation of Targeted Public Distribution System by local authority in their areas.

Obligations of local authority.

Disclosure of records of Targeted Public Distribution System.

Conduct of social audit.

Setting up of Vigilance Committees.

**25. (1)** The local authorities shall be responsible for the proper implementation of this Act in their respective areas.

(2) Without prejudice to sub-section (1), the State Government may assign, by notification, additional responsibilities for implementation of the Targeted Public Distribution System to the local authority.

**26.** In implementing different schemes of the Ministries and Departments of the Central Government and the State Governments, prepared to implement provisions of this Act, the local authorities shall be responsible for discharging such duties and responsibilities as may be assigned to them, by notification, by the respective State Governments.

## CHAPTER XI

### TRANSPARENCY AND ACCOUNTABILITY

**27.** All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public, in such manner as may be prescribed by the State Government.

**28. (1)** Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government.

(2) The Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits.

**29. (1)** For ensuring transparency and proper functioning of the Targeted Public Distribution System and accountability of the functionaries in such system, every State Government shall set up Vigilance Committees as specified in the Public Distribution System (Control) Order, 2001, made under the Essential Commodities Act, 1955, as amended from time to time, at the State, District, Block and fair price shop levels consisting of such persons, as may be prescribed by the State Government giving due representation to the local authorities, the Scheduled Castes, the Scheduled Tribes, women and destitute persons or persons with disability.

10 of 1955.

(2) The Vigilance Committees shall perform the following functions, namely:—

(a) regularly supervise the implementation of all schemes under this Act;

(b) inform the District Grievance Redressal Officer, in writing, of any violation of the provisions of this Act; and

(c) inform the District Grievance Redressal Officer, in writing, of any malpractice or misappropriation of funds found by it.

## CHAPTER XII

### PROVISIONS FOR ADVANCING FOOD SECURITY

Food security for people living in remote, hilly and tribal areas.

**30.** The Central Government and the State Governments shall, while implementing the provisions of this Act and the schemes for meeting specified entitlements, give special focus to the needs of the vulnerable groups especially in remote areas and other areas which are difficult to access, hilly and tribal areas for ensuring their food security.

**31.** The Central Government, the State Governments and local authorities shall, for the purpose of advancing food and nutritional security, strive to progressively realise the objectives specified in Schedule III.

### CHAPTER XIII

#### MISCELLANEOUS

**32. (1)** The provisions of this Act shall not preclude the Central Government or the State Government from continuing or formulating other food based welfare schemes.

Steps to further advance food and nutritional security.

(2) Notwithstanding anything contained in this Act, the State Government may, continue with or formulate food or nutrition based plans or schemes providing for benefits higher than the benefits provided under this Act, from its own resources.

Other welfare schemes.

**33.** Any public servant or authority found guilty, by the State Commission at the time of deciding any complaint or appeal, of failing to provide the relief recommended by the District Grievance Redressal Officer, without reasonable cause, or wilfully ignoring such recommendation, shall be liable to penalty not exceeding five thousand rupees:

Penalties.

Provided that the public servant or the public authority, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed.

**34. (1)** For the purpose of adjudging penalty under section 33, the State Commission shall authorise any of its member to be an adjudicating officer for holding an inquiry in the prescribed manner after giving any person concerned a reasonable opportunity of being heard for the purpose of imposing any penalty.

Power to adjudicate.

(2) While holding an inquiry the adjudicating officer shall have power to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer, may be useful for or relevant to the subject matter of the inquiry and if, on such inquiry, he is satisfied that the person has failed to provide the relief recommended by the District Grievance Redressal Officer, without reasonable cause, or wilfully ignored such recommendation, he may impose such penalty as he thinks fit in accordance with the provisions of section 33.

Power to delegate by Central Government and State Government

**35. (1)** The Central Government may, by notification, direct that the powers exercisable by it (except the power to make rules), in such circumstances and subject to such conditions and limitations, be exercisable also by the State Government or an officer subordinate to the Central Government or the State Government as it may specify in the notification.

Act to have overriding effect.

(2) The State Government may, by notification, direct that the powers exercisable by it (except the power to make rules), in such circumstances and subject to such conditions and limitations, be exercisable also by an officer subordinate to it as it may specify in the notification.

Power to amend Schedules.

**36.** The provisions of this Act or the schemes made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of such law.

**37. (1)** If the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification, amend Schedule I or Schedule II or Schedule III and thereupon Schedule I or Schedule II or Schedule III, as the case may be, shall be deemed to have been amended accordingly.

(2) A copy of every notification issued under sub-section (1), shall be laid before each House of Parliament as soon as may be after it is issued.

**38.** The Central Government may, from time to time, give such directions, as it may consider necessary, to the State Governments for the effective implementation of the provisions of this Act and the State Governments shall comply with such directions.

Power of Central Government to give directions.

Power of  
Central  
Government  
to make rules.

**39.** (1) The Central Government may, by notification, and subject to the condition of previous publication, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) scheme including cost sharing for providing maternity benefit to pregnant women and lactating mothers under clause (b) of section 4;

(b) schemes covering entitlements under sections 4, 5 and section 6 including cost sharing under section 7;

(c) amount, time and manner of payment of food security allowance to entitled individuals under section 8;

(d) introducing schemes of cash transfer, food coupons or other schemes to the targeted beneficiaries in lieu of their foodgrains entitlements in such areas and manner under clause (h) of sub-section (2) of section 12;

(e) the norms and manner of providing assistance to the State Governments in meeting expenditure under clause (d) of sub-section (4) of section 22;

(f) manner in which funds shall be provided by the Central Government to the State Governments in case of short supply of foodgrains, under section 23;

(g) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the Central Government by rules:

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**40.** (1) The State Government may, by notification, and subject to the condition of previous publication, and consistent with this Act and the rules made by the Central Government, make rules to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) guidelines for identification of priority households under sub-section (1) of section 10;

(b) internal grievance redressal mechanism under section 14;

(c) qualifications for appointment as District Grievance Redressal Officer and its powers under sub-section (2) of section 15;

(d) method and terms and conditions of appointment of the District Grievance Redressal Officer under sub-section (3) of section 15;

(e) manner and time limit for hearing complaints by the District Grievance Redressal Officer and the filing of appeals under sub-sections (5) and (7) of section 15;

(f) method of appointment and the terms and conditions of appointment of Chairperson, other Members and Member-Secretary of the State Commission, procedure for meetings of the Commission and its powers, under sub-section (5) of section 16;

(g) method of appointment of staff of the State Commission, their salaries, allowances and conditions of service under sub-section (8) of section 16;

Power of  
State  
Government  
to make rules.

(h) manner in which the Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to public under section 27;

(i) manner in which the social audit on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes shall be conducted under section 28;

(j) composition of Vigilance Committees under sub-section (1) of section 29;

(k) schemes or programmes of the Central Government or the State Governments for utilisation of institutional mechanism under section 43;

(l) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the State Government by rules.

(3) Every rule, notification and guidelines made or issued by the State Government under this Act shall, as soon as may be after it is made or issued, be laid before each House of the State Legislature where there are two Houses, and where there is one House of the State Legislature, before that House.

**41.** The schemes, guidelines, orders and food standard, grievance redressal mechanism, vigilance committees, existing on the date of commencement of this Act, shall continue to be in force and operate till such schemes, guidelines, orders and food standard, grievance redressal mechanism, vigilance committees are specified or notified under this Act or the rules made thereunder:

Transitory provisions for schemes, guidelines, etc.

Provided that anything done or any action taken under the said schemes, guidelines, orders and food standard, grievance redressal mechanism, or by vigilance committees shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue to be in force accordingly unless and until superseded by anything done or by any action taken under this Act.

**42. (1)** If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no order shall be made under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

**43.** The services of authorities to be appointed or constituted under sections 15 and 16 may be utilised in the implementation of other schemes or programmes of the Central Government or the State Governments, as may be prescribed by the State Government.

Utilisation of institutional mechanism for other purposes.

**44.** The Central Government, or as the case may be, the State Government, shall be liable for a claim by any person entitled under this Act, except in the case of war, flood, drought, fire, cyclone or earthquake affecting the regular supply of foodgrains or meals to such person under this Act:

Force Majeure.

Provided that the Central Government may, in consultation with the Planning Commission, declare whether or not any such situation affecting the regular supply of foodgrains or meals to such person has arisen or exists.

Ord. 7 of 2013.

**45. (1)** The National Food Security Ordinance, 2013 is hereby repealed.

Repeal and savings.

(2) Notwithstanding such repeal,—

(a) anything done, any action taken or any identification of eligible households made; or

- (b) any right, entitlement, privilege, obligation or liability acquired, accrued or incurred; or
- (c) any guidelines framed or directions issued; or
- (d) any investigation, inquiry or any other legal proceeding initiated, conducted or continued in respect of such right, entitlement, privilege, obligation or liability as aforesaid; or
- (e) any penalty imposed in respect of any offence,

under the said Ordinance shall be deemed to have been done, taken, made, acquired, accrued, incurred, framed, issued, initiated, conducted, continued or imposed under the corresponding provisions of this Act.

**SCHEDULE I**

[See sections 3(1), 22(1), (3) and 24 (2), (3)]

**SUBSIDISED PRICES UNDER TARGETED PUBLIC DISTRIBUTION SYSTEM**

Eligible households shall be entitled to foodgrains under section 3 at the subsidised price not exceeding rupees 3 per kg for rice, rupees 2 per kg for wheat and rupee 1 per kg for coarse grains for a period of three years from the date of commencement of this Act; and thereafter, at such price, as may be fixed by the Central Government, from time to time, not exceeding,—

(i) the minimum support price for wheat and coarse grains; and

(ii) the derived minimum support price for rice,

as the case may be.

## SCHEDULE II

[See sections 4(a), 5(J) and 6]

## NUTRITIONAL STANDARDS

*Nutritional standards:* The nutritional standards for children in the age group of 6 months to 3 years, age group of 3 to 6 years and pregnant women and lactating mothers required to be met by providing "Take Home Rations" or nutritious hot cooked meal or ready to eat meal in accordance with the Integrated Child Development Services Scheme and nutritional standards for children in lower and upper primary classes under the Mid Day Meal Scheme are as follows:

Serial number	Category	Type of meal <sup>2</sup>	Calories (Kcal)	Protein (g)
1	2	3	4	5
1.	Children (6 months to 3 years)	Take Home Ration	500	12-15
2.	Children (3 to 6 years)	Morning Snack and Hot Cooked Meal	500	12-15
3.	Children (6 months to 6 years) who are malnourished	Take Home Ration	800	20-25
4.	Lower primary classes	Hot Cooked Meal	450	12
5.	Upper primary classes	Hot Cooked Meal	700	20
6.	Pregnant women and Lactating mothers	Take Home Ration	600	18-20

NOTE: 1.— Energy Dense Food fortified with micronutrients as per 50 per cent. of Recommended Dietary Allowance.

NOTE: 2.— The provisions of the Food Safety and Standards Act, 2006 (34 of 2006) and any other law for the time being in force shall apply to Meals referred to in this Schedule.

NB: Nutritional standards are notified to provide balanced diet and nutritious food in terms of the calorie counts, protein value and micronutrients specified.

**SCHEDULE III***(See section 31)***PROVISIONS FOR ADVANCING FOOD SECURITY****(1) Revitalisation of Agriculture—**

- (a) agrarian reforms through measures for securing interests of small and marginal farmers;
- (b) increase in investments in agriculture, including research and development, extension services, micro and minor irrigation and power to increase productivity and production;
- (c) ensuring livelihood security to farmers by way of remunerative prices, access to inputs, credit, irrigation, power, crop insurance, etc.;
- (d) prohibiting unwarranted diversion of land and water from food production.

**(2) Procurement, Storage and Movement related interventions—**

- (a) incentivising decentralised procurement including procurement of coarse grains;
- (b) geographical diversification of procurement operations;
- (c) augmentation of adequate decentralised modern and scientific storage;
- (d) giving top priority to movement of foodgrains and providing sufficient number of rakes for this purpose, including expanding the line capacity of railways to facilitate foodgrain movement from surplus to consuming regions.

**(3) Others: Access to—**

- (a) safe and adequate drinking water and sanitation;
- (b) health care;
- (c) nutritional, health and education support to adolescent girls;
- (d) adequate pensions for senior citizens, persons with disability and single women.

### STATEMENT OF OBJECTS AND REASONS

Article 47 of the Constitution, *inter alia*, provides that the State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties. The Universal Declaration of Human Rights and International Covenant on Economic, Social and Cultural Rights, to which India is a signatory, also cast responsibilities on all State parties to recognise the right of everyone to adequate food. Eradicating extreme poverty and hunger is one of the goals under the Millennium Development Goals of the United Nations.

2. In pursuance of the constitutional and the international conventions obligations, providing food security has been focus of the Government's planning and policy. Food security means availability of sufficient foodgrains to meet the domestic demand as well as access, at the individual level, to adequate quantities of food at affordable prices. Attainment of self-sufficiency in foodgrains production at the national level has been one of the major achievements of the country. In order to address the issue of food security at the household level, the Government is implementing the Targeted Public Distribution System under which subsidised foodgrains are provided to the Below Poverty Line, including Antyodaya Anna Yojana, and Above Poverty Line households. While the Below Poverty Line households under the Targeted Public Distribution System receive thirty-five kilograms foodgrains per family per month, the allocation to Above Poverty Line households depends upon availability of foodgrains in the Central pool. Allocations for other food based welfare schemes for women and children, natural disasters, etc., are also being made at-subsidised rates.

3. Ensuring food security of the people, however, continues to be a challenge. The nutritional status of the population, and especially of women and children, also needs to be improved to enhance the quality of human resource of the country. The proposed legislation marks a paradigm shift in addressing the problem of food security—from the current welfare approach to a right based approach. Besides expanding coverage of the Targeted Public Distribution System, the proposed legislation would confer legal rights on eligible beneficiaries to receive entitled quantities of foodgrains at highly subsidised prices. It will also confer legal rights on women and children to receive meal free of charge.

4. In view of the foregoing, the National Food Security Bill, 2011 was introduced in the Lok Sabha on 22nd December, 2011. Subsequently, the said Bill was referred to the Department Related Parliamentary Standing Committee on Food, Consumer Affairs and Public Distribution for examination and Report. The Standing Committee presented its Report to the Speaker, Lok Sabha on 17th January, 2013. The recommendations of the Standing Committee were examined on priority; and accordingly the Government gave notice in the Lok Sabha in the Budget Session for consideration and passing of the said Bill along with official amendments. However, Parliament was adjourned *sine die* on 8th May, 2013 and thereafter both the Houses were prorogued.

5. In view of the time that has already lapsed in passing of the National Food Security Bill, 2011 since its announcement by the then President of India in her address to the Joint Session of Parliament on 4th June, 2009, and further delay in getting it passed through Parliament, the Government was of the considered view that it will not be appropriate to further delay the reaching of the proposed benefits of the Bill to the people of the country.

6. As both the Houses of Parliament were not in Session and immediate action was required to be taken to ensure that the benefits of the proposed legislation reach the people at the earliest, the President promulgated the National Food Security Ordinance, 2013 on 5th July, 2013.

7. It is, now proposed to replace the National Food Security Ordinance, 2013 with the National Food Security Bill, 2013, to—

(a) provide for food and nutritional security, in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices to people to live a life with dignity;

(b) entitle every person belonging to priority households, to receive every month from the State Government, under the Targeted Public Distribution System, five kilograms of foodgrains per person per month, at subsidised prices specified in Schedule I to the proposed legislation. The households covered under Antyodaya Anna Yojana shall be entitled to receive thirty-five kilograms of foodgrains per household per month at the prices specified in Schedule I. The said entitlements at subsidised prices shall extend up to seventy-five per cent. of the rural population and up to fifty per cent. of the urban population;

(c) entitle every pregnant woman and lactating mother to meal, free of charge, during pregnancy and six months after child birth, through the local anganwadi, so as to meet the nutritional standards specified in Schedule II; and to provide to such women maternity benefit of not less than rupees six thousand in such instalments as may be prescribed by the Central Government;

(d) entitle every child up to the age of fourteen years—(i) age appropriate meal, free of charge, through the local anganwadi so as to meet the nutritional standards specified in Schedule II in the case of children in the age group of six months to six years; and (ii) one mid day meal, free of charge, everyday, except on school holidays, in all schools run by local bodies, Government and Government aided schools, to children up to class VIII or within the age group of six to fourteen years, whichever is applicable, so as to meet the nutritional standards specified in Schedule II;

(e) require the State Government to identify and provide meals through the local anganwadi, free of charge, to children who suffer from malnutrition, so as to meet the nutritional standards specified in Schedule II; and implement schemes covering entitlements of women and children in accordance with the guidelines, including cost sharing, between the Central Government and the State Governments in such manner as may be prescribed by the Central Government;

(f) entitle the eligible persons under Chapter II of the proposed legislation, to receive such food security allowance from the concerned State Government to be paid to each person, in case of non-supply of the entitled quantities of foodgrains or meals, within the time and manner prescribed by the Central Government;

(g) provide subsidised foodgrains under the Targeted Public Distribution System to specified percentage of rural and urban population, at the all India level and empower the Central Government to determine the State-wise percentage coverage;

(h) enable the State Government to prescribe guidelines for identification of priority households, for the purposes of their entitlement under the proposed legislation and identify such households and the households to be covered under the Antyodaya Anna Yojana, in accordance with guidelines applicable to the scheme;

(i) progressively undertake necessary reforms by the Central and State Governments in the Targeted Public Distribution System in consonance with the role envisaged for them in the proposed legislation;

(j) treat the eldest woman who is not less than eighteen years of age, in every eligible household, to be head of the household for the purpose of issue of ration cards;

(k) impose obligation upon the State Governments to put in place an internal grievance redressal mechanism which may include call centres, help lines, designation

of nodal officers, or such other mechanism as may be prescribed by the respective Governments; and for expeditious and effective redressal of grievances of the aggrieved persons in matters relating to distribution of entitled foodgrains or meals under Chapter II of the proposed legislation, a District Grievance Redressal Officer, with requisite staff, to be appointed by the State Government for each District, to enforce these entitlements and investigate and redress grievances;

(l) make provision for State Food Commission to be constituted by every State Government for the purpose of monitoring and review of implementation of the proposed legislation;

(m) impose obligation upon the Central Government to ensure regular supply of foodgrains for persons belonging to eligible households and allocate the required quantity of foodgrains to the State Governments under the Targeted Public Distribution System from the central pool as per the entitlements and at prices specified in Schedule I to the proposed legislation;

(n) make provision for implementation and monitoring by the State Government of the schemes of various Ministries and Departments of the Central Government in accordance with guidelines issued by the Central Government for each scheme, and their own schemes, for ensuring food security to the targeted beneficiaries in their State; and make the local authorities responsible, for the proper implementation of the proposed legislation in their respective areas;

(o) conduct or cause to be conducted by every local authority, or any other authority or body, as may be authorised by the State Government, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government;

(p) impose penalty upon any public servant or authority found guilty, by the State Commission at the time of deciding any complaint or appeal, of failing to provide the relief recommended by the District Grievance Redressal Officer, without reasonable cause, or wilfully ignoring such recommendation, not exceeding five thousand rupees after giving an opportunity of being heard.

8. The notes on clauses explain in detail the various provisions contained in the replacement Bill.

9. The Bill seeks to achieve the above objectives.

NEW DELHI;  
The 5th August, 2013.

K. V. THOMAS.

#### PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. H-11018/1/2013-NFSA/3624, dated 5 August, 2013 from Prof. K.V. Thomas, Minister of State for Consumer Affairs, Food and Public Distribution to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the proposed National Food Security Bill, 2013, recommends the introduction of the Bill in the House and its consideration under article 117(1) and (3) of the Constitution.

*Notes on clauses*

*Clause 1.*—This clause of the Bill provides for the short title, extent and commencement of the proposed legislation. The proposed legislation shall be deemed to have come into force retrospectively, i.e., on the 5th July, 2013, which is the date of promulgation of the National Food Security Ordinance, 2013.

*Clause 2.*—This clause provides for definitions of certain expressions used in the proposed legislation which, *inter alia*, include the expressions ‘anganwadi’, ‘central pool’, ‘eligible households’, ‘fair price shop’, ‘foodgrains’, ‘food security’, ‘food security allowance’, ‘local authority’, ‘meal’, ‘minimum support price’, ‘notification’ ‘other welfare schemes’, ‘person with disability’, ‘priority households’, ‘prescribed’, ‘ration card’, ‘rural area’, ‘Schedule’, ‘senior citizen’, ‘social audit’, State Commission’, ‘Targeted Public Distribution System’, and ‘vigilance committee’, etc.

*Clause 3.*—This clause provides for right to receive foodgrains at subsidised prices by persons belonging to eligible households under the Targeted Public Distribution System. It provides that every person belonging to priority households shall be entitled to receive five kilograms of foodgrains per person per month from the State Government, under the Targeted Public Distribution System, at prices specified in Schedule I. It also provides that households covered under Antyodaya Anna Yojana shall be entitled to thirty-five kilograms of foodgrains per household per month at prices specified in Schedule I. It further provides that the entitlements of the eligible households shall extend up to seventy-five per cent. of the rural population and up to fifty per cent. of the urban population. It also provides that the State Government may provide wheat flour in lieu of the entitled quantity of foodgrains, in accordance with the guidelines specified by the Central Government.

*Clause 4.*—This clause provides for nutritional support to pregnant women and lactating mothers. It provides that every pregnant woman and lactating mother shall be entitled to meal free of charge during pregnancy and six months after the child birth and maternity benefit of not less than rupees six thousand.

*Clause 5.*—This clause provides for nutritional support to children. It provides that children below fourteen years of age, shall be entitled, to (i) age appropriate meal free of charge for children in the age group of six months to six years (ii) for children up to class VIII or within the age group of six years to fourteen years, whichever is applicable, one mid-day meal, free of charge, everyday except school holidays in all schools run by local bodies, Government and Government-aided schools. Nutritional norms for meals to be provided have been specified in Schedule II.

*Clause 6.*—This clause provides for prevention and management of child malnutrition. It lays down that State Government shall identify children suffering from malnutrition and provide them meal, free of charge, to meet nutritional standards specified in Schedule II.

*Clause 7.*— This clause provides for implementation of schemes for realisation of entitlements. It provides that schemes for meeting entitlements of pregnant women and lactating mothers and children shall be implemented by the State Government in accordance with guidelines, including cost sharing, prescribed by the Central Government.

*Clause 8.*—This clause provides for right to receive food security allowance in certain cases. It provides that in case of non-supply of entitled foodgrains or meals, the entitled persons shall be entitled to receive food security allowance from the State Government, within such time and manner as may be prescribed by the Central Government.

*Clause 9.*—This clause provides for coverage of population under Targeted Public Distribution System. It provides that subject to sub-section (2) of section 3, the percentage coverage under the Targeted Public Distribution System in rural and urban areas for each

State shall be determined by the Central Government, and the total number of persons to be covered shall be calculated on the basis of population estimates as per census of which the relevant figures have been published.

*Clause 10.*—This clause provides for guidelines to be prepared by State Governments for identification of priority households. It provides that within the number of eligible persons determined under section 9 for rural and urban areas, the State Government shall identify (i) households to be covered under the Antyodaya Anna Yojana in accordance with guidelines applicable to the said scheme and (ii) remaining households as priority households to be covered under the Targeted Public Distribution System in accordance with guidelines specified by the State Government. It further provides that the State Government shall identify the eligible households, as soon as possible but within a period not exceeding one hundred and eighty days, in accordance with guidelines framed for this purpose. It also provides that till the completion of identification of such households, the State Government shall continue to receive allocation of foodgrains under the existing Targeted Public Distribution System. It also provides that within the number of persons determined under section 9 for rural and urban areas, the list of eligible households shall be updated by the State Government in accordance with the guidelines framed for this purpose.

*Clause 11.*—This clause provides for publication and display of list of eligible households. It requires the State Governments to place the list of eligible households in public domain and display it prominently.

*Clause 12.*—This clause provides for reforms in the Targeted Public Distribution System. It provides that the Central Government and the State Government shall endeavour to progressively undertake necessary reforms in the Targeted Public Distribution System in consonance with the role envisaged for them in the proposed legislation.

*Clause 13.*—This clause provides for women of eighteen years of age or above to be head of household for the purpose of issue of ration cards. It provides that for the purpose of issue of ration card eldest woman in the households who is eighteen years of age or above shall be the head of the household.

It further provides that where a household at any time does not have a woman or a woman of eighteen years of age or above, but has a female member below the age of eighteen years, then, the eldest male member of the household shall be the head of the household for the purpose of issue of ration card and the female member, on attaining the age of eighteen years, shall become the head of the household for such ration cards in place of such male member.

*Clause 14.*—This clause provides for internal grievances redressal mechanism. It provides that the State Governments shall put in place an internal grievance redressal mechanism which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed.

*Clause 15.*—This clause provides for District Grievance Redressal Officer. It provides that for redressal of grievances in matters relating to delivery of entitlements under Chapter II, the State Government shall appoint or designate a District Grievance Redressal Officer for each District. It further provides that the qualification and powers and the method and terms and conditions of appointment of the District Grievance Redressal Officer shall be such as may be prescribed by the State Government.

It further provides that the District Grievance Redressal Officer shall hear complaints regarding non-distribution of entitled foodgrains or meals, and matters relating thereto, and take necessary action for their redressal in such manner and within such time as may be prescribed by the State Government and any complainant or the officer or authority against whom any order has been passed by such officer, who is not satisfied with the redressal of grievance may file an appeal against such order before the State Commission.

*Clause 16.*—This clause provides for State Food Commission. It provides that every State Government shall constitute a State Food Commission for the purpose of monitoring and review of implementation of the proposed legislation.

It further provides that the State Commission shall consist of a Chairperson; five other Members; and a Member Secretary out of whom there shall be at least two women, and there shall be one person belonging to the Scheduled Castes and one person belonging to the Scheduled Tribes, whether Chairperson, Member or Member Secretary.

It also provides that the Chairperson and other Members shall be appointed from amongst persons—(a) who are or have been member of the All India Services or any other civil services of the Union or State or holding a civil post under the Union or State having knowledge and experience in matters relating to food security, policy making and administration in the field of agriculture, civil supplies, nutrition, health or any allied field; or (b) of eminence in public life with wide knowledge and experience in agriculture, law, human rights, social service, management, nutrition, health, food policy or public administration; or (c) who have a proven record of work relating to the improvement of the food and nutrition rights of the poor.

It also provides that the term of the Chairperson and every other Member shall be not exceeding five years from the date on which he enters upon his office and shall be eligible for reappointment and no person shall hold office as the Chairperson or other Members after he has attained the age of sixty-five years.

It also provides that the method of appointment and other terms and conditions of the Chairperson, other Members and Member Secretary of the State Commission and time, place and procedure of meetings of the State Commission (including the quorum at such meetings) and its powers, shall be such as may be prescribed by the State Government.

It also specifies the functions to be undertaken by the State Commission which, *inter alia*, include to—monitor and evaluate the implementation of the proposed legislation, in relation to the State; either *suo motu* or on receipt of complaint inquire into violations of entitlements provided under Chapter II; give advice to the State Government, their agencies, autonomous bodies as well as non-governmental organisations involved in delivery of relevant services, for the effective implementation of food and nutrition related schemes, to enable individuals to fully access their entitlements specified in the proposed legislation; hear appeals against orders of the District Grievance Redressal Officer; and prepare annual reports which shall be laid before the State Legislature by the State Government.

It also provides that the State Government shall make available to the State Commission, such administrative and technical staff, as it may consider necessary for proper functioning of the State Commission. The method of appointment of staff, their salaries, allowances and conditions of service shall be such, as may be prescribed by the State Government.

It also makes provision for removal of the Chairperson and other Members of the State Commission and specifies the grounds, on which they may be removed.

*Clause 17.*—This clause provides for salary and allowances of Chairperson, Members, Member Secretary and other staff of the State Commission. It provides that the State Government shall provide for salary and allowances of the Chairperson, other Members, Member Secretary, support staff, and other administrative expenses required for proper functioning of the State Commission.

*Clause 18.*—This clause provides for designation of any Commission or body to function as the State Commission. It provides that the State Government may, if considers it necessary, designate any statutory commission or a body to exercise the powers and perform the functions of State Food Commission.

*Clause 19.*—This clause provides for Joint State Food Commission. It provides that two or more States may have joint State Food Commission with the approval of the Central Government.

*Clause 20.*—This clause provides for powers of State Commission relating to enquiries. It provides that the State Commission shall, while inquiring into any matter, have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908, and, in particular, in respect of the matters of summoning and enforcing the attendance of any person and examining him on oath; discovery and production of any document; receiving evidence on affidavits; requisitioning any public record or copy thereof from any court or office; and issuing commissions for the examination of witnesses or documents.

It further provides that the State Commission shall have the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973.

*Clause 21.*—This clause provides that vacancies in or any defect in the constitution of the State Commission or any defect in the appointment of a person acting as a Member of the State Commission or any irregularity in the procedure of the State Commission shall not invalidate proceedings of the State Commission.

*Clause 22.*—This clause lays down the responsibilities of the Central Government to allocate required quantity of foodgrains from Central pool to State Governments. It provides that the Central Government shall, for ensuring the regular supply of foodgrains to persons belonging to eligible households, allocate from the Central pool the required quantity of foodgrains to the State Governments under the Targeted Public Distribution System, as per the entitlements under clause 3 and at prices specified in Schedule I.

It further provides that the Central Government shall allocate foodgrains in accordance with the number of persons belonging to the eligible households identified in each State under clause 10. It further provides that the Central Government shall provide foodgrains in respect of entitlements under clauses 4, 5 and 6 to the State Government at prices specified for persons belonging to eligible households in Schedule I.

It also provides that, the Central Government shall, procure foodgrains for the Central pool through its own agencies and the State Governments and their agencies; allocate foodgrains to the States; provide for transportation of foodgrains, as per allocation, to the depots designated by the Central Government in each State; provide assistance to State Government in meeting the expenditure incurred by it towards intra-State movement, handling of foodgrains and margins paid to fair price shop dealers as per norms as may be prescribed and create and maintain required modern and scientific storage facilities at various levels.

*Clause 23.*—This clause makes provisions for funds by the Central Government to State Governments in certain cases. It provides that in case of short supply of foodgrains from the Central pool to a State, Central Government shall provide funds to the extent of short supply.

*Clause 24.*—This clause provides for implementation and monitoring of schemes for ensuring food security. It provides that the State Governments shall be responsible for implementation and monitoring of the schemes of various Ministries and Departments of the Central Government in accordance with the guidelines issued by the Central Government for each scheme, and their own schemes, for ensuring food security to the targeted beneficiaries in their State.

It further provides that under the Targeted Public Distribution System, it shall be the duty of the State Governments to—(a) take delivery of foodgrains from the designated depots of the Central Government in the State, at the prices specified in Schedule I, organise intra-State allocations for delivery of the allocated foodgrains through their authorised agencies at the door-step of each fair price shop; and (b) ensure actual delivery or supply of the foodgrains to the entitled persons at the prices specified in Schedule I.

It also provides that for foodgrain requirements in respect of entitlements under clauses 4, 5, and 6 it shall be the responsibility of the State Government to take delivery of foodgrains

from the designated depots of the Central Government in the State, at the prices specified in Schedule I for persons belonging to eligible households and ensure actual delivery of entitled benefits, as specified in the clauses aforesaid.

It also provides that in case of non-supply of the entitled quantities of foodgrains or meals to entitled persons under Chapter II, the State Government shall be responsible for payment of food security allowance specified in clause 8.

It also provides that for efficient operations of the Targeted Public Distribution System, every State Government shall,—(a) create and maintain scientific storage facilities at the State, District and Block levels, being sufficient to accommodate foodgrains required under the Targeted Public Distribution System and other food based welfare schemes; (b) suitably strengthen capacities of their Food and Civil Supplies Corporations and other designated agencies; and (c) establish institutionalised licensing arrangements for fair price shops in accordance with the relevant provisions of the Public Distribution System (Control) Order, 2001 as amended from time to time.

*Clause 25.*—This clause provides for implementation of Targeted Public Distribution System. It provides that the local authorities shall be responsible for proper implementation of the proposed legislation in their respective areas and the State Governments may assign additional responsibilities to local authorities in implementation of Targeted Public Distribution System.

*Clause 26.*—This clause provides for obligations of local authority. It provides that in implementing different schemes of the Ministries and Departments of the Central Government and the State Governments, the local authority shall be responsible for discharging such duties and responsibilities as may be assigned to them by notification, by the respective State Governments.

*Clause 27.*—This clause makes provision for disclosure of records of Targeted Public Distribution System. It provides that all Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public.

*Clause 28.*—This clause provides for conduct of social audit. It provides that social audit on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, shall be conducted by local authority, or any other authority or body, as may be authorised by the State Governments. It further provides that the Central Government may, if it considers necessary, also conduct or cause to be conducted social audit through independent agencies.

*Clause 29.*—This clause provides for setting up of Vigilance Committees by the State Government at various levels for ensuring transparency and proper functioning of the Targeted Public Distribution System and accountability of functionaries in such system. It also specifies the functions of Vigilance Committees.

*Clause 30.*—This clause provides that the Central Government and the State Governments shall, while implementing the provisions of this Bill and the schemes for meeting specified entitlements, give special focus to the needs of the vulnerable groups especially in remote areas and other areas which are difficult to access, hilly and tribal areas for ensuring their food security.

*Clause 31.*—This clause provides for steps to further advance food and nutritional security. It provides that for the purpose of advancing food and nutritional security, the Central and State Governments shall strive to progressively realise objectives mentioned in Schedule III.

*Clause 32.*—This clause provides for other welfare schemes. It provides that provisions of the proposed legislation shall not preclude Central or State Governments from continuing or formulating other food based schemes. It also provides that State Government may continue with or formulate food or nutrition based schemes providing for higher benefits than the benefits provided under the proposed legislation, from its own resources.

*Clause 33.*—This clause relates to penalties. It provides that any public servant or authority found guilty, by the State Commission at the time of deciding any complaint or appeal, of failing to provide the relief recommended by the District Grievance Redressal Officer, without reasonable cause, or wilfully ignoring such recommendation, shall be liable to penalty not exceeding five thousand rupees.

It further provides that the public servant or the public authority, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed.

*Clause 34.*—This clause provides for power to adjudicate. It provides that for the purpose of adjudging under clause 33, the State Commission shall authorise any of its member to be an adjudicating officer for holding an inquiry in the prescribed manner after giving any person concerned a reasonable opportunity of being heard for the purpose of imposing any penalty.

It further provides that while holding an inquiry, the adjudicating officer shall have power to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer, may be useful for or relevant to the subject matter of the inquiry and if, on such inquiry, he is satisfied that the person has failed to provide the relief recommended by the District Grievance Redressal Officer, without reasonable cause, or wilfully ignoring such recommendation, he may impose such penalty as he thinks fit in accordance with the provisions of clause 33.

*Clause 35.*—This clause provides for power to delegate by the Central Government and State Governments. It empowers the Central Government to delegate its power (except the power to make rules) to the State Governments or an officer subordinate to the Central Government or State Governments. It also empowers the State Governments to delegate its power (except power to make rules) to an officer subordinate to it.

*Clause 36.*—This clause gives overriding effect to provisions of the proposed legislation or the schemes made thereunder notwithstanding anything inconsistent contained in any other law.

*Clause 37.*—This clause seeks to empower the Central Government to amend Schedule I or Schedule II or Schedule III if that Government is satisfied that it is necessary or expedient so to do.

*Clause 38.*—This clause seeks to empower the Central Government to give directions to State Governments for effective implementation of the provisions of the proposed legislation.

*Clause 39.*—This clause empowers the Central Government to make rules to carry out the provisions of the proposed legislation. It provides that the Central Government may, by notification, and subject to the condition of previous publication, make rules to carry out the provisions of the proposed legislation. It further specifies the matters in respect of which such rules may be made. It also provides that rules made by the Central Government shall be laid before each House of Parliament as soon as they are made.

*Clause 40.*—This clause empowers the State Governments to make rules to carry out the provisions of the proposed legislation. It provides that the State Government may, by notification, and subject to the condition of previous publication, and consistent with this proposed legislation and the rules made by the Central Government, make rules to carry out the provisions of the proposed legislation. It further specifies the matters in respect of which such rules may be made. It also provides that rules, notifications and guidelines issued by the State Government shall be laid before the Legislature of the State as soon as they are made.

*Clause 41.*—This clause provides for transitory provisions for schemes, guidelines, etc. It provides that the schemes, guidelines, orders and food standards existing on the date

of commencement of the proposed legislation shall continue to be in force till these are specified under the proposed legislation or rules made thereunder.

*Clause 42.*—This clause provides for power to remove difficulties. It provides that if any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions, not inconsistent with the provisions of this proposed legislation, as appear to it to be necessary or expedient for removing the difficulty. It further provides that no order shall be made under this section after the expiry of two years from the date of commencement of this Act.

*Clause 43.*—This clause provides for utilisation of institutional mechanism for other purposes. It provides that the services of authorities to be appointed or constituted under clauses 15 and 16 may be utilised in the implementation of other schemes or programmes of the Central Government or the State Governments, as may be prescribed by the State Government.

*Clause 44.*—This clause provides for *Force Majeure*. It provides that the Central Government, or as the case may be, the State Governments, shall be liable for any claim by any person entitled under the proposed legislation, except in the case of war, flood, drought, fire, cyclone or earthquake affecting regular supply of foodgrains or meals. It also provides that the Central Government may, in consultation with Planning Commission, declare whether or not any such situation affecting regular supply of foodgrains or meals has arisen or exist.

*Clause 45.*—This clause seeks to provide for repeal of the National Food Security Ordinance, 2013 and saving of actions taken thereunder..

It further provides that notwithstanding such repeal, (a) anything done, action taken or identification of eligible households made; or (b) any right, entitlement, privilege, obligation or liability acquired, accrued or incurred; or (c) any guidelines framed or directions issued; or (d) any investigation, inquiry or legal proceeding initiated, conducted or continued in respect of such right, entitlement, privilege, obligation or liability acquired, accrued or incurred; or (e) any penalty imposed in respect of any offence, under the said Ordinance shall be deemed to have been done, taken, made, acquired, accrued, incurred, framed, issued, initiated, conducted, continued or imposed under the corresponding provisions of the proposed legislation.

Schedule I.—This Schedule specifies the subsidised prices at which foodgrains will be provided to eligible households under Targeted Public Distribution System.

Schedule II.—This Schedule specifies the nutritional standards for meals and take home ration to be provided under the proposed legislation to children and pregnant women and lactating mothers.

Schedule III.—This Schedule lists the objectives to be progressively realised by the Central Government, State Governments and local authorities for advancing food security.

### FINANCIAL MEMORANDUM

Item (iii) of sub-clause 2 of clause 2 provides that, the "central pool" shall consist of foodgrains kept as reserves for the schemes to be implemented for providing food security. The estimated carrying cost of buffer stocks for 2013-14 is Rs. 612.27 per quintal. Total expenditure will depend upon the actual stocks carried by the Government, and will be borne by the Central Government as recurring expenditure. This requirement may not cause any additional financial obligation as buffer stocks are already being maintained by the Government of India for its on-going Targeted Public Distribution System.

2. Sub-clause (1) of clause 3 provides that every person belonging to priority households, shall be entitled to receive every month from the State Government, under the Targeted Public Distribution System, five kilograms of foodgrains per person per month, at subsidised prices specified in Schedule I. It further provides that the households covered under Antyodaya Anna Yojana shall be entitled to receive thirty-five kilograms of foodgrains per household per month at the prices specified in Schedule I. Sub-clause (2) thereof provides that the entitlements at subsidised prices shall extend upto seventy-five per cent. of the rural population and upto fifty per cent. of the urban population. The difference between the economic cost of the foodgrains and the prices specified in Schedule I, in respect of the proposed coverage and entitlement will be borne by the Central Government as food subsidy. At the above proposed coverage and entitlement, the economic cost for the year 2013-14 and the prices of foodgrains specified in Schedule I, the total annual expenditure on food subsidy under Targeted Public Distribution System is estimated at about Rupees 1,08,966 crore. The estimate of food subsidy is however dependent; among other things, upon economic cost, central issue price of foodgrains, number of beneficiaries covered and quantities of foodgrains allocated and lifted, and therefore subject to change with changes in any or all of the variables affecting food subsidy.

3. Sub-clause (a) of clause 4, clauses 5 and 6 provide for nutritional support to pregnant women and lactating mothers and children below the age of fourteen. These benefits are currently being delivered through the Integrated Child Development Services and Mid Day Meal schemes, and these will continue to be implemented as per prescribed norms, including norms for cost sharing between the Central and the State Governments.

4. Sub-clause (b) of clause 4 provides that every pregnant woman and lactating mother shall be entitled to maternity benefit of not less than rupees six thousand, in such instalments as may be prescribed by the Central Government. The actual annual expenditure will depend on the number of identified entitled beneficiaries and those actually availing the benefit. The expenditure will be shared between the Central and the State Governments in accordance with a scheme to be prescribed by the Central Government.

5. Clause 8 provides that in case of non-supply of the entitled quantities of foodgrains or meal to entitled persons under Chapter II of the proposed legislation, such persons shall be entitled to receive food security allowance from the concerned State Government, which shall be responsible for making payment of such food security allowance within such time and manner as may be prescribed by the Central Government. The State Government shall bear all expenses on food security allowance, which will be of a recurring nature.

6. Clause 10 provides that identification of priority households shall be done by the State Governments in accordance with such guidelines as the State Government may specify. It further provides that Antyodaya Anna Yojana households shall be identified by the State Government, in accordance with guidelines applicable to the scheme. Cost of identification of households will be borne by the State Governments.

7. Clause 11 provides that the list of the identified eligible households shall be placed by the State Governments in the public domain and displayed prominently, for which expenditure will be borne by the State Government.

8. Sub-clause (7) of clause 12 provides that the Central and the State Governments shall endeavour to progressively undertake reforms in Targeted Public Distribution System.

9. Clause 14 provides that the State Governments shall put in place an internal grievance redressal mechanism which may include call centres, help lines, designation of nodal officers, or such other mechanism as may be prescribed. The cost of setting-up internal grievance redressal mechanism will be borne by the State Governments.

10. Clause 15 provides that for expeditious and effective redressal of grievances of the aggrieved persons in matters relating to distribution of entitled foodgrains or meals under Chapter II of the proposed legislation, a District Grievance Redressal Officer, with requisite staff, shall be appointed by the State Government for each District, to enforce these entitlements and investigate and redress grievances. The expenditure towards salary and allowances of District Grievance Redressal Officer and other staff, and such other expenditure as may be considered necessary for their proper functioning, which will be of recurring nature, will be borne by the State Governments.

11. Clause 16 provides that every State Government shall constitute a State Food Commission for the purpose of monitoring and review of implementation of the proposed legislation. Clause 17 provides that the State Government shall provide for salary and allowances of Chairperson, other Members, Member Secretary, support staff, and other administrative expenses required for proper functioning of the State Commission. The expenditure on State Food Commission will differ from State to State and will be of recurring nature.

12. Sub-clause (3) of clause 22 provides that the Central Government shall provide foodgrains in respect of entitlements under clauses 4, 5 and 6, to the State Governments, at prices specified for eligible households in Schedule I. The difference between the economic cost of foodgrains and the prices specified in Schedule I, in respect of above schemes will be borne by the Central Government as food subsidy and will be of recurring nature. The estimated expenditure is however dependent upon economic cost, central issue price of foodgrains, number of beneficiaries covered and quantities of foodgrains allocated and lifted, and therefore subject to change with changes in any or all of the variables.

13. Item (e) of sub-clause (4) of clause 22 provides that the Central Government shall create and maintain required modern and scientific storage facilities at various levels, the expenditure on which will be of a non-recurring nature and will be borne by the Central Government.

14. Clause 23 provides that in case of short supply of foodgrains from the central pool to a State, the Central Government shall provide funds to the extent of short supply to the State Government for meeting obligations under Chapter II in such manner as may be prescribed by the Central Government.

15. Sub-clause (2) of clause 24 provides that under the Targeted Public Distribution System, it shall be the duty of the State Government to take delivery of foodgrains from the designated depots of the Central Government in the State, at the prices specified in the Schedule I; organise intra-State allocations for delivery of the allocated foodgrains through their authorised agencies at the door-step of each fair price shop; and ensure actual delivery or supply of the foodgrains to the entitled persons at the prices specified in Schedule I. The cost of intra-State transport and handling of foodgrains, fair price shop dealers' margin etc., will be borne by the State Governments, for which assistance will be provided by the Central Government under item (d) of sub-clause (4) of clause 22.

16. Item (a) of sub-clause (5) of clause 24 provides that the State Government shall create and maintain scientific storage facilities at the State, District and Block levels, being sufficient to accommodate foodgrains required under the Targeted Public Distribution System and other food based welfare schemes. The expenditure on creation and maintenance of storage facilities will be of a non-recurring nature and will be borne by the State Governments.

17. Sub-clause (2) of clause 25 and clause 26 provide that the State Governments may, by notification, assign additional responsibilities to local authorities in implementing Targeted Public Distribution System or other schemes of Central or State Government prepared to implement provisions of the proposed legislation. The expenditure on strengthening of local authorities, required if any, will be borne by the State Governments.

18. Sub-clause (1) of clause 28 provides that every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government. The expenditure on such social audits will be borne by the State Governments. Sub-clause (2) thereof provides that the Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits, expenditure for which will be borne by the Central Government.

19. Clause 29 provides for setting-up of Vigilance Committees at various levels by the State Government for ensuring transparency and proper function of the Targeted Public Distribution System. The expenditure on Vigilance Committees will be borne by the State Governments and will be of a recurring nature.

20. Clause 30 provides that the Central Government, the State Governments and local authorities shall, for the purpose of advancing food and nutritional security, strive to progressively realise the objectives specified in Schedule III. Necessary efforts for realising these objectives will be required to be taken by both the Central and the State Governments in their respective areas and they will also be expected to bear the corresponding expenditure.

21. Sub-clause (1) of clause 32 provides that the provisions of the proposed legislation shall not preclude the Central Government or the State Governments from continuing or formulating other food based welfare schemes. The expenditure for such schemes will be borne by respective Governments, in accordance with provisions contained in such schemes. Sub-clause (2) thereof provides that the State Government may, continue with or formulate food or nutrition based plans or schemes providing for benefits higher than the benefits provided under the proposed legislation, from its own resources. The expenditure on such plans or schemes will be borne by the State Governments.

22. The Central Government will bear the expenditure in relation to implementation of the proposed legislation in so far as the Union territories are concerned.

23. Apart from the estimates given above, the expenditure which will be involved in implementing the proposed legislation will also include expenditure to be met out of budgets of other Ministries or Departments in order to operationalise the provisions of the proposed legislation, besides strengthening of the organisational structure for proper implementation. It is not practicable to make an estimate of such recurring and non-recurring expenditure at this stage.

### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 39 of the Bill empowers the Central Government to make, by notification in the Official Gazette, and subject to the condition of previous publication, rules for carrying out the provisions of the proposed legislation. Sub-clause (2) specifies the matters in respect of which such rules may be made. These matters, *inter alia*, include: (a) scheme including cost sharing for providing maternity benefit to pregnant women and lactating mothers under sub-clause (b) of clause 4; (b) schemes covering entitlements under clauses 4, 5 and 6 including cost sharing under clause 7; (c) the amount, time and manner of payment of food security allowance to entitled persons under clause 8; (d) introduction of schemes of cash transfer, food coupons, or other schemes to the targeted beneficiaries in lieu of their foodgrain entitlements in such areas and manner under clause (h) of sub-clause (2) of clause 12; (e) the norms and manner of providing assistance to the State Governments in meeting expenditure incurred by them towards intra-State movement, handling of foodgrains and margins paid to fair price shop dealers, under clause (d) of sub-clause (4) of clause 22; (f) the manner in which funds shall be provided by the Central Government to the State Governments in case of short supply of foodgrains, under clause 23; (g) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the Central Government by rules.

2. The rules made by the Central Government are required to be laid, as soon as they are made, before each House of Parliament.

3. Clause 40 of the Bill empowers the State Government to make, by notification in the Official Gazette, and subject to the condition of previous publication and consistent with this Act and the rules made by the Central Government, rules for carrying out the provisions of the proposed legislation. Sub-clause (2) specifies the matters in respect of which such rules may be made. These matters, *inter alia*, include: (a) guidelines for identification of priority households under sub-clause (1) of clause 10; (b) internal grievance redressal mechanism under clause 14; (c) qualifications for appointment as District Grievance Redressal Officer and its powers under sub-clause (2) of clause 15; (d) method and terms and conditions of appointment of the District Grievance Redressal Officer under sub-clause (3) of clause 15; (e) manner and time limit for hearing complaints by the District Grievance Redressal Officer and the filing of appeals under sub-clauses (5) and (7) of clause 15; (f) method of appointment and the terms and conditions of appointment of Chairperson, other Members and Member-Secretary of the State Commission, procedure for meetings of the Commission and its powers, under sub-clause (5) of clause 16; (g) method of appointment of staff of the State Commission, their salaries, allowances and conditions of service under sub-clause (8) of clause 16; (h) manner in which the Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to public under clause 27; (i) manner in which the social audit on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes shall be conducted under clause 28; (j) composition of vigilance committees under sub-clause (1) of clause 29; (k) schemes or programmes of the Central Government or the State Governments for utilisation of institutional mechanism under clause 43; (l) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the State Government by rules.

4. The rules made by the State Government are required to be laid, as soon as may be after they are made, before the State Legislature.

5. The matters in respect of which rules may be made are generally matters of procedure and administrative details and it is not practicable to provide for them in the Bill itself. The delegation of legislative powers is, therefore, of a normal character.

J.K. VISWANATHAN,  
*Secretary-General.*